

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: ANDREW F. KUZY COLLEEN A. KUZY)))))	Bankruptcy Case No. 18-21728-CMB Chapter 11 Related to Doc. Nos. 164, 165, 166 & 177
Debtors		

PLAN BALLOT SUMMARY

1. Have all impaired classes accepted the Plan in satisfaction of 11 U.S.C. §1129(a)(8) for confirmation? **No**
2. Is a cramdown requested? **Yes**
3. Identify unimpaired classes by class number: **1, 2, 6, 7 & 8**
4. Identify impaired classes by class numbers: **3, 4, 5, & 9**
5. Has any impaired class accepted the Plan? **Yes**

If yes, specify which class or classes: **9**

6. Below is a summary of the ballots by claim and interest.

Name	Class	Amount	Impaired	Vote
Jeffrey J. Sikirica, Trustee (est.)	1	\$ 5,000.00	No	Yes
Jeffrey J. Sikirica, Esquire (est.)	1	\$ 5,000.00	No	Yes
Chrome FCU	9	\$ 75.00	Yes	Yes

7. Pursuant to 11 U.S.C. §1126, only the actual ballots cast are counted to determine whether a given class has voted to accept or reject the Plan. Section 1126(c) provides that a class of claims will have accepted the Plan if voting creditors in such class holding at least two-thirds in amount and more than one-half in number have voted to accept the Plan. Class acceptance by a class of interests is governed by §1126(d), requiring that holders of interests holding at least two-thirds in amount accept the Plan.

The following is a summary by creditor class of the ballots:

		NUMBER			AMOUNT		
Class	Impaired	Total number of claims voted by members of class	Number of claims voted in favor of accepting the plan (A) and rejecting the plan (R)	Percentage Accepting (A÷N)	Aggregate Dollar Amount claims voted by members of class (Amt)	Dollar Amount of claims voted in favor of accepting the plan (A) and rejecting the plan (R)	Percentage Accepting
1	No	2	2 (A)	100	\$ 10,000.00	\$ 10,000.00 (A)	100
2	No	0	0	0	0	0	0
3	Yes	0	0	0	0	0	0
4	Yes	0	0	0	0	0	0
5	Yes	0	0	0	0	0	0
6	No	0	0	0	0	0	0
7	No	0	0	0	0	0	0
8	No	0	0	0	0	0	0
9	Yes	1	1 (A)	100	\$ 75.00	\$ 75.00 (A)	100

Copies of ballots attached.

Additional Comments:

- The Pennsylvania Department of Revenue holder of unimpaired claims 6 and 7 did not vote for or against the Plan but did file objections to the Plan. In speaking with counsel for the Department of Revenue the Trustee believes said objections can be addressed in the Plan Confirmation Order.
- Impaired claim 3 of Key Bank which did not vote for or against the Plan but did provide a proposal under which Key Bank would accept the Plan. The proposal has future consequences to impaired claim 4 of PNC Bank, but despite attempted contact with PNC's counsel by letter, email and phone, no response has been received. Trustee will incorporate Key Bank's proposal in the Plan Confirmation Order when seeking cramdown of the Plan.

Date: 02/19/2020

/s/ Jeffrey J. Sikirica
Jeffrey J. Sikirica, Esq.
Chapter 11 Trustee
PA I.D. No. 36745
121 Northbrook Drive
Gibsonia, PA 15044
(724) 625-2566
SikiricaLaw@zoominternet.net

IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT
OF PENNSYLVANIA

In Re:

ANDREW F. KUZY
COLEEN A. KUZY

Bankruptcy No. 18-21728-CMB
Chapter 11
Document No.

Debtor.

Class [1] Ballot for Accepting or Rejecting Plan of Reorganization

Andrew F. Kuzy & Coleen A. Kuzy ("Debtors") filed an amended plan of reorganization dated November 14, 2020 (the Plan) for the Debtor in this case. The Court has approved a disclosure statement with respect to the Plan (the Disclosure Statement). The Disclosure Statement provides information to assist you in deciding how to vote your ballot. If you do not have a Disclosure Statement, you may obtain a copy from Jeffrey J. Sikirica, Esquire, 121 Northbrook Drive, Gibsonia, PA 15044, Tele: 724-625-2566, facsimile no. 724-625-4611 and/or email TrusteeSikirica@zoominternet.net (proponent's attorney.)

The Court's approval of the Disclosure Statement does not indicate approval of the Plan by the Court.

You should review the Disclosure Statement and the Plan before you vote. You may wish to seek legal advice concerning the Plan and your classification and treatment under the Plan. Your claim has been placed in class [1] under the Plan. If you hold claims or equity interests in more than one class, you will receive a ballot for each class in which you are entitled to vote.

If your ballot is not received by Jeffrey J. Sikirica, Esquire, 121 Northbrook Drive, Gibsonia, PA 15044 on or before February 13, 2021, and such deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan.

If the Plan is confirmed by the Bankruptcy Court, it will be binding on you whether or not you vote.

Acceptance or Rejection of the Plan

The undersigned, the holder of a Class 1 Administrative Claim with the Debtor in the unpaid amount of Dollars (\$ 5,000.00 (EST.)): Account Ending: _____

Check one box only



Accepts the plan



Rejects the plan

Dated: 02/13/21

Print or type name: JEFFREY J. SIKIRICA, TRUSTEE

Signature: _____

Title (if corporation or partnership) _____

Address: 121 NORTHBROOK DR.

GIBSONIA, PA 15044

Return this ballot to: Jeffrey J. Sikirica, Esq., 121 Northbrook Drive, Gibsonia, PA 15044

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If your ballot is not received by Jeffrey J. Sikirica, Esquire, 121 Northbrook Drive, Gibsonia, PA 15044 on or before February 13, 2021, and such deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan.

If the Plan is confirmed by the Bankruptcy Court, it will be binding on you whether or not you vote.

Acceptance or Rejection of the Plan

The undersigned, the holder of a Class 1 Administrative Claim with the Debtor in the unpaid amount of Dollars (\$ 5,000.00 (EST.)): Account Ending: _____

Check one box only

☒ **Accepts the plan**

☐ **Rejects the plan**

Dated: 02/13/21

Print or type name: JEFFREY J. SIKIRICA, ESQUIRE [COUNSEL FOR TRUSTEE]

Signature: _____

Title (if corporation or partnership) _____

Address: 121 NORTHBROOK DRIVE
GIBSONIA, PA 15044

Return this ballot to: Jeffrey J. Sikirica, Esq., 121 Northbrook Drive, Gibsonia, PA 15044

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In Re:

**ANDREW F. KUZY
COLEEN A. KUZY**

**Bankruptcy No. 18-21728-CMB
Chapter 11
Document No.**

Debtor.

Class [9] Ballot for Accepting or Rejecting Plan of Reorganization

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The Court's approval of the Disclosure Statement does not indicate approval of the Plan by the Court.

You should review the Disclosure Statement and the Plan before you vote. You may wish to seek legal advice concerning the Plan and your classification and treatment under the Plan. Your claim has been placed in class [9] under the Plan. If you hold claims or equity interests in more than one class, you will receive a ballot for each class in which you are entitled to vote.

If your ballot is not received by Jeffrey J. Sikirica, Esquire, 121 Northbrook Drive, Gibsonia, PA 15044 on or before February 13, 2021, and such deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan.

If the Plan is confirmed by the Bankruptcy Court, it will be binding on you whether or not you vote.

Acceptance or Rejection of the Plan

The undersigned, the holder of a Class 9 General Unsecured Claim with the Debtor in the unpaid amount of Dollars (\$ 75.00): Account Ending: 0007

Check one box only

☒ **Accepts the plan**

☐ **Rejects the plan**

Dated: 1/22/2021

Print or type name: Anthony Vinceguerra

Signature: Anthony Vinceguerra

Title (if corporation or partnership) Loan servicing officer

Address: CHROME - P.O. Box 658

Canonsburg PA 15317

Return this ballot to: Jeffrey J. Sikirica, Esq., 121 Northbrook Drive, Gibsonia, PA 15044